

Customer No.: 31561
Docket No.: 13719-US-PA
Application No.: 10/711,620

REMARKS

Present Status of the Application

The Office Action rejected claims 1-3, 5-9, 11 and 13-16 under 35 U.S.C. 102(b), as being anticipated by Silvermail et al. (US 6,537,688). The Office Action rejected claims 1-4, 11, 13-15 under 35 U.S.C. 102(b), as being anticipated by Nishizawa et al. (US 2003/0155861). The Office Action also rejected claim 10 under 35 U.S.C. 103(a) as being unpatentable over Silvermail et al. (US 6,537,688). The Office Action also rejected claims 1, 12, 14, 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over Furukawa (JP 2000-268955) in view of Silvermail et al. (US 6,537,688).

Applicant has amended claims 1, 14 and 15 and canceled claim 11 to more clearly define the present invention. After entry of the foregoing amendments, claims 1-10 and 12-18 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Rejection under 35 U.S.C 102 (b)

Applicant respectfully traverses the 102(b) rejection of claims 1-3, 5-9 and 13-16 because Silvermail et al. (US 6,537,688) does not teach every element recited in these claims.

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "See M.P.E.P. 2131, Latest Revision August 2006".

The present invention is in general related an organic electro-luminescent display panel and a method of fabricating the same as claims 1 and 14 recite:

Claim 1. An organic electro-luminescent display panel, comprising:
a substrate having a front surface and a back surface;
an organic electro-luminescent device layer, disposed on the front surface of the substrate;
a first barrier layer, disposed over the organic electro-luminescent device layer,
wherein a gap is formed between the first barrier layer and the organic electro-luminescent device layer;
a first sealant, disposed between the substrate and the first barrier layer so as to encapsulate the organic electro-luminescent device layer between the substrate and the first barrier layer; and

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a second barrier layer, disposed over the substrate covering the first barrier layer, the whole first sealant and the front surface of the substrate and exposing the back surface of the substrate.

Claim 14. A method of fabricating an organic electro-luminescent display panel, comprising:

providing a substrate having a front surface and a back surface;
forming an organic electro-luminescent device layer on the front surface of the substrate;
forming a first barrier layer over the organic electro-luminescent device layer, wherein a gap is formed between the first barrier layer and the organic electro-luminescent device layer;
forming a first sealant between the substrate and the first barrier layer so as to encapsulate the organic electro-luminescent device layer between the substrate and the first barrier layer; and

forming a second barrier layer over the substrate covering the first barrier layer, the whole first sealant and the front surface of the substrate and exposing the back surface of the substrate.

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Silvernail fails to disclose, teach or suggest a second barrier layer is disposed over the substrate covering the whole first barrier layer, the first sealant and the front surface of the substrate and exposing the back surface of the substrate as claims 1 and 14 recite. Silvernail teaches the device, as shown in Figs. 1-4, the OLED 140 is formed on a surface of the substrate 110 and another surface of the substrate 110a is covered by the barrier layer 120. In particular, the device shown in Fig. 3 is further surrounded by an encapsulating region 160. However, in the present application, the second barrier layer is disposed over the substrate covering the whole first barrier layer, the first sealant and the front surface of the substrate and exposing the back surface of the substrate. Because the back surface of the substrate is not covered by the barrier layer, the light emitting efficiency of OLED is better when the light emitted from the OLED and then passes through the back surface of substrate.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1 and 14 patently define over the prior art reference, and should be allowed. For at least the same reasons, dependent claims 2-3, 5-9, 13 and 15-16 patently define over the prior art as a matter of law, for at least the reason that these dependent claims contain all features of their respective independent claim.

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Applicant respectfully traverses the 102(b) rejection of claims 1-4 and 13-15 because Nishizawa et al. (US 2003/0155861) does not teach every element recited in these claims.

Applicant respectfully submits Nishizawa fails to disclose, teach or suggest a second barrier layer is disposed over the substrate covering the first barrier layer, the whole first sealant and the front surface of the substrate and exposing the back surface of the substrate as claims 1 and 14 recite. The office action stated the SUB 2 of the citation is as the second barrier layer of claims 1 and 14. However, the SUB 2 just only covers the GS layer. The SUB 2 does not cover the whole SL and the front surface of the substrate. However, in the present invention, the second barrier layer is disposed over the substrate covering the first barrier layer, the whole first sealant and the front surface of the substrate and exposing the back surface of the substrate. Since the second barrier layer covers the whole first sealant and the front surface of the substrate, moisture, oxygen and other contaminations cannot permeate to OLED through the first sealant.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1 and 14 patently define over the prior art reference, and should be allowed. For at least the same reasons, dependent claims 2-4, 13 and 15 patently define over the prior art as a matter of law.

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Rejection under 35 U.S.C 103 (a)

The Office Action rejected claim 10 under 35 U.S.C. 103(a), as being unpatentable over Silvernail et al. (US 6,537,688). Applicant respectfully traverses the rejections for at least the reasons set forth below.

Applicant submits that, as disclosed above, Silvernail fails to teach or suggest each and every element of claim 1, from which claims 10 depend. Because independent claim 1 is patentable over Silvernail, its dependent claim 10 is also patentable as a matter of law.

The Office Action also rejected claims 1, 12, 14, 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over Furukawa (JP 2000-268955) in view of Silvernail et al. (US 6,537,688). Applicant respectfully traverses the rejections for at least the reasons set forth below.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior

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art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

"See M.P.E.P. 2143, Latest Revision August 2006".

Applicant respectfully submits Furukawa and Silvernail fail to teach or suggest a second barrier layer is disposed over the substrate covering the first barrier layer, the whole first sealant and the front surface of the substrate and exposing the back surface of the substrate as claims 1 and 14 recite. The office action agrees Furukawa fails to teach the limitation of a second barrier layer. As discussed above, Silvernail also fails to teach the second barrier layer as claims 1 and 14 recite because Silvernail teaches the back surface of the substrate 110a is covered by the barrier layer 120. However, the second barrier layer of the present application covers the first barrier layer, the whole first sealant and the front surface of the substrate and exposes the back surface of the substrate. Therefore, Silvernail cannot cure the deficiencies of Furukawa. Independent

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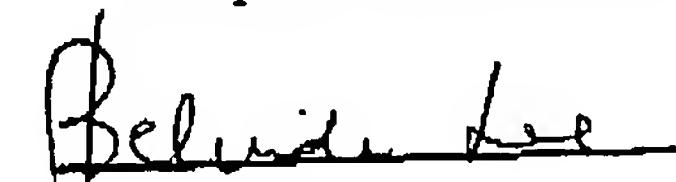
claims 1 and 14 are patentable over Furukawa and Silvernail. For at the least the same reasons, their dependent claims 12, 17 and 18 are also patentable.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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